

File No. 21-28

Previous References

65-28, 15-28
65-28, 6

Serial Nos. 30-32, 34

Later References

Law 3-28 5-7

Law 2-29 (748)

97 210-29-1

0 0 19

General and Revenue Secretariat.

Serial Nos. File

Part B for Feb 1975

SUBJECT

Bill, / to D.P. Benfalone for conducting
in prosecution in several cases, attending
out of Benfalone District, Texas

10578 219 15-2-75

10578 219 15-2-75

No.

Letter no: 217/28-29 dated 7.11.28 from
P.P.R., Bangalore forwarding a bill of
2150/- for services rendered
in the Security Case in 2 class at Bangalore as
also under the Addl. D. Mag. Court

The P.P.R. states that the prosecution in the
Security Case is closed and that the cases before
the Addl. D. M. have reached a final stage.
He claims Rs 35/- per day for 30 days he has
appeared in both the Courts and Rs 25/- per day
for the 44 days he has appeared in the Court

The bill has not been signed by the
authority who consulted or instructed the
P.P.R. and neither has it been countersigned
by the Judge, since the fee claimed is for
appearance (vide Rule 58 of the Legal Affairs R.
3). This is also a matter for consideration whether
such bills may be sanctioned before the cases
in which the P.P.R. is engaged are not yet
finally disposed of

The Public Prosecutor
may be asked to furnish
certificates from the presiding
Magistrates of the Courts concerned
as to the dates of his appearance
in the respective Courts & the
nature of work done on each
date, if his remuneration
is to be sanctioned on the basis

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No.

of the number of days on which
worked

perhaps a lump sum.
his conducting the security on
its stages and another for
in connection with the A.S.S. etc. /
would be preferable

3rd Member)

Measure submitted. to us

(24)

Bills may be returned for
Counter-signature. to the A.S.S.

3rd Member

8 yrs. This might be met

2nd Member

10th

19/11
19/11

10 years

19/11

P 2818 dated 20-11-28 to PPr

4885
9/11

865
15/11

22/11

15/11

16/11

16/11

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No.

letter dated 26. 11. 28 from Pfr 186
rewarding a fresh bid with necessary
counter signatures.

if. The bill is in order with the Certificates of attendance countersigned by the concerned magist. The P.P.s charges Rs 35 per day ~~per~~ ~~per~~ ~~per~~ when he attended both the Security case & the cases in the Addl Magt Court. & Rs 25 for days he attends only the latter court.

12 ✓ As mentioned in the P.O.D., the P.P.T. Mysore has been paid at the rates of Rs 30/- per day for the 57 days he ~~also~~ conducted the Palace Defalcation Case. The bill connected with this has been sent to the Dewan's office (DAO: 9630) dated 4.9.28).

13 He comes to the rules if the P.P.R. conducts more than ~~one~~ ^{one} on a day, then for that day he is entitled to ~~one~~ ^{one} or ~~more~~ ^{more} allowable to him for the day. If he has attended one case only - If the fee is taken to be Rs 25/-, then the fee would be entitled to for attending two cases with

General and Revenue
Secretariat.

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heard on merits but ~~admitted~~ ^{admitted} ~~cross-examination~~
dealt with - ~~Conceded~~ the P.P.'s claim
for Rs 20/- under ~~admitted~~ is in order.

15 The P.P. claims ~~Rs 10~~ ^{Rs 10} per day for the
47 days he has attended ~~the~~ ^{the} ~~Admission~~ ^{Admission} ~~to~~ ^{to} ~~the~~ ^{the} ~~Court~~ ^{Court} only - The fee fixed in ~~the~~ ^{the} ~~Rs~~ ^{Rs}
but a fee of Rs 20/- in now ~~admitted~~ ^{admitted} ~~to~~ ^{to} ~~be~~ ^{be}
paid to Special Publ: Prosecutors engaged in
Sectin's Cases - For an imp't case like the
Palace Defalcation case, a fee of Rs 30/-
per day was sanctioned to the P.P. ~~may~~ ^{may}
the fee claimed now may ~~be~~ ^{be} ~~sanctioned~~ ^{sanctioned} -

MP
26/11/28

16. A fee of Rs 50 per day for
attending to Security case as well
to the Cases before the Addl. Mag.
to ~~Sanction~~ ^{instead of Rs 25 claim} ~~may perhaps be~~
paid.

A fee of Rs 25 only per day
for appearance before the Addl. M.
- This may be sanctioned.

Rs 50 per day for appearance -

General and Revenue
Secretariat.

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No.578/
35711

18) I think the fees claimed are excessive
in conducting the deenit proceedings - about
1520 per day more allowed on account of the
normal fee of Rs 16. In appearance
about 155 or more -

19) As regards ~~appeal~~ work before the DC
Master this would concern any
case. The Public Prosecutor was ~~not~~
~~there~~ attending, and supplying
some questions to be put to witnesses
~~there~~. The Public Prosecutor was
relieved of the work (for which these
P.P's were employed & have to be paid,
I consider that Rs 10 per day of appeal
before the DC Master alone, & Rs
for appearance before H. & the removal
cases before the DC Master would be
the correct estimate for Rs 1175

General and Revenue
Secretariat.

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57
11/12

For orders as to whether the draft
be made.

Secy)

3rd time

45-

Please take action re. This
by order of 5.12.28

key
12.12.28

81
12/12

Issue & resubmit with a note
referred to about the other cases.

31

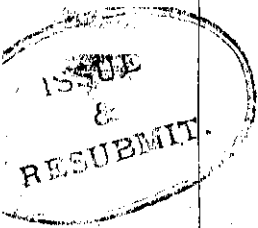
To Mr P. Pr. Bangalore
.. Bangalore.

12/12

SO no P 3179-80 of 14-12-28

See above in bill for no 1157
only.

Draft of a letter to PPr requesting him to furnish
information about the ^{other} cases put up for approval
and



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22

Request to intimate the number of cases arising out of the recent Bangalore disturbances in which we have been asked to conduct the prosecution their nature and description etc.

No reply is as yet received from P.P. Bangalore - Shall a reminder issue? Submitted for orders -

mp

It has recently been advised that the Public Prosecutor need not appear in these cases & that the Prosecuting Insp. of Police may conduct the prosecution. ~~Therefore~~ ~~there is no necessity to fix any fee~~ ~~therefore~~ ~~for work already done~~ may be fixed when the information is recd from the Public Prosecutor, perhaps with the bill also. There is perhaps no need to remind the P.P. as it is likely that his bill will be sent to Govt before long.

6/1

The question referred to at A in para 21 may perhaps be considered for the reasons stated above, when the Public Prosecutor's bill is received.

secy)

22
17/1
1928
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Letter dated 30-1-1929 from the P.P. Bangalore, forwarding a bill of fees for conducting the Bangalore disturbances cases in the City Magistrate's Court.

The P.P. claims Rs 25 per day for each or a Consolidated Sum of Rs 1,000/- According to Third Member's Minute dated 5-12-28 (para. 2 above), a lump sum fee had to be fixed for all the cases that the P.P. had to conduct in the City Magistrate's Court.

According to rule 56 cl(2)(a), the fee per day cannot ordinarily exceed Rs 16/- & if more than one case is conducted on a day, then $\frac{2}{3}$ of the amount has to be paid for each case - excluding formal appearances in cases. The P.P. has conducted the cases as follows:

- 1 case per day on 8 days.
- 2 cases per day on 1 day
- 3 cases per day on 2 days
- 4 cases per day on 1 day.

{ Calculated according to rule 56 cl(2)(a) at Rs 16/- per day, the ^{total} fee comes to Rs 5.33-5-4.

Calculated at Rs 25/- per day, it comes to Rs 8.33-5-4

The P.P. is not entitled to any fee for getting the applⁿ for withdrawal on 2-1-29 or for being present when orders thereon were passed on 3-1-29. But since on this day (C.C. 218/28) was adj^d, he is entitled to Rs 5/-

Submitted for orders

DDP

DDP

2-3-29

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I think he may be given for at
Rs: 16 / per day under Rule 56(2) is
as ab.

3rd member

repeated

1/2 per m
7/2

24-
2
7/2

Co.
Draft put in

mp

9.2.29

1/2

Secy)

2
14/2

Issues

11/2

4/2

2
14/2

(note in list of items for which
suppl. funds are required)

2
14/2

7th Comm? NO 1614 / dated 18/2/29

Dot + Jan. Submitt

7/2

18/2/29

PPr, Bangalore

Comptroller to Govt

24. Bangalore

7th Secy

P 4.5-18-21 dt 15-2

Sanctioned the bill for Rs 533/5/4

NOTE - Contn. sheet

The Public Prosecutor,
Bangalore kn.

To
The Legal Remembrancer,
and Secretary to Government,
Law Department,
Bangalore.

Sir,

I have the honor to submit herewith my bill of fees for conducting the Security Case before City Magistrate Court and Special first class Magistrate Court; and for attendance and assisting in the public enquiry before the Additional District Magistrate Court.

On the days that I have attended Security Case and Additional District Magistrate Court I have charged Rs 3/- per day. On the days that I have attended Additional District Magistrate Court exclusively, I charge Rs 25/- per day.

I have attended the Security Case and Additional District Magistrate Court on the following days.

6-8-1928	28-8-28	Arguments on the transfer application before District Magistrate
7-8-1928	4-9-28	
8-8-1928	5-9-28	19-9-28
9-8-1928	6-9-28	20-9-28
10-8-1928	8-9-28	21-9-28
11-8-1928	10-9-28	8-10-28
13-8-1928	11-9-28	9-10-28
14-8-1928	12-9-28	15-10-28
15-8-1928	13-9-28	3-11-28 attended the Chief Court Assistant
16-8-1928	14-9-28	6-11-28 The Government Advocate in C.A.
17-8-1928	15-9-28	
23-8-1928	18-9-28	

Exclusive attendance in the Additional District Court on the following days.

18.8.28	4.10.28
20.8.28	5.10.28
21.8.28	6.10.28
22.8.28	11.10.28
24.8.28	12.10.28
25.8.28	16.10.28
31.8.28	17.10.28
1.9.28	18.10.28
3.9.28	19.10.28
4.9.28	20.10.28
7.9.28	22.10.28
22.9.28	23.10.28
24.9.28	24.10.28
25.9.28	25.10.28
26.9.28	26.10.28
27.9.28	29.10.28
29.9.28	30.10.28
1.10.28	31.10.28
2.10.28	1.11.28
3.10.28	

attendance at Mysore
and to return.

I may add that I have closed the prosecution in Security Case and the cases before the Additional District Magistrate have reached a final stage.

I have the honor to be,
Sir,
your most obedient servant

B. N. Vejaya Rao
public prosecutor,
Bangalore.

SUBJECT.....

Diary No. of letter replied to.....

Section

File No.

Serial No.

No.

2818(1)

General and Revenue Secretariat

()

the

192

To

The Public Prosecutor
 Bangalore

Date of issue.....

20/11/28

Signed by.....

M. No.

Sir,

I am directed to return
 herewith your bill of fees for
 conducting the Security Case and
 for attending the Addl Dist.
 Magistrate's Court, sent with your letter
 No: 217/22-29 dated 7th Nov 1928,
 for its being resubmitted ~~to the~~
~~Court obtaining the necessary~~
 countersigned ~~as per~~ Rule 58
 of the Rules for the conduct of legal
 affairs of Govt.

by the presiding
 officers of the
 concerned Court

July

List of enclosures.....

Copied by.....

19/11/28

Examined by.....

Have etc

M.

For Secy to Govt

10/11/28

19.11.28

Agree

3 2223
Bangalore,
24th Nov. 1928. ✓ 724

From

The Public Prosecutor,
Bangalore Division,
Bangalore.

To

The Legal Remembrancer
to the Govt., of Mysore.
Bangalore.

Sir,

With reference to your letter No.P.2818 dated 20th November 1928, I beg to submit herewith my Bill for conducting the Security Proceedings and assisting the Additional District Magistrate, Bangalore and also three certificates duly countersigned by the Presiding officers of the concerned courts.

For the days I have attended both courts I have charged only Rs.35 per day and for attending only one court Rs.25 per day. I learn that the Public Prosecutor, Mysore was paid at the rate of Rs.30 per day for conducting the Palace Defalcation cases. As such I beg to submit that the fee charged by me may kindly be sanctioned, in view of the importance and the difficult nature of the work done by me in both the courts.

I beg to remain,
Sir,
Your most obedient servant,

B. M. Vijaya Devi
Public Prosecutor.

SUBJECT.....

Diary No. of letter replied to.....

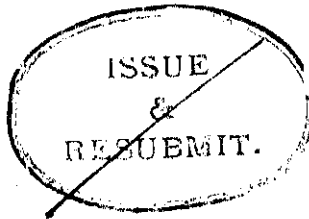
27

General and revenue Secretariat

the

()

192

Section ~~100~~

File No. 21-

Serial No. 31

Proceedings of the Government of
His Highness the Maharaja of Mysore.

Date of issue.....

14/12/28

Signed by.....

19/12/28
M. N. S.

Read—

Letter dated 24th Nov' 1928
the Public Prosecutor, Bangalore
forwarding for Govt. sanction
for Rs 2070/- being the fees
by him for conducting the Sec
Proceedings against H. V. Subraman
and others, and for assisting the
Additional District Magistrate, Banga
Order Thereon No. 3179-80
Government ~~is pleased~~ to
sanction a fee of Rs 10 per day
of appearance before the
Additional District Magistrate
alone and Rs 25/- per day for his

May this be

- i Printed ?
- ii treated as a standing order ?
- iii published in the Gazette,
English Part ?
- iv translated ?
- v placed at the disposal of the press ?
- vi published in the Gazette,
Kannada Part ?

appearance before the Additional
 District Magistrate and conducting
 the Security Case before the Special
 Magistrate. For more formal
 appearance in the Security Case
 the usual fee of Rs 5 per day
 claimed is ~~sanctioned~~ ^{in order} The
 bill is thus sanctioned
 for a sum of Rs 1,115/- only
 The Charge ~~has to~~ ^{will} be met
 out of the budget grant and
 "Fees to Advocates and other
 Law Charges", ^{to be} Supplements
 by an additional grant ~~in~~ ^{will}
~~be~~ ^{and will} be placed before the
~~next~~ ^{meeting of the} Legislative Council. ^{in due} ~~meeting~~
 course.

8/1
 Secy to Govt
 Law D
 10/1
 3/12/

The P. M. Byrne with the bills.

Copied by

Examined by

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

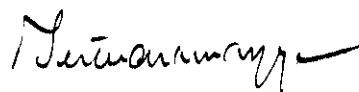
Read:-

Letter dated 24th November 1928 from the Public Prosecutor, Bangalore, forwarding for Government sanction a bill for Rs. 2070/- being the fees claimed by him for conducting the Security Proceedings against H.V. Subramanyam and others, and for assisting the Additional District Magistrate, Bangalore.

ORDER No.P. 3179-80 Law 21

Dated Bangalore the 13th December 1928.

Government are pleased to sanction a fee of Rs. 10/- per day of appearance before the Additional District Magistrate alone and Rs. 25/- per day for both appearance before the Additional District Magistrate and conducting the Security case before the Special Magistrate. For mere formal appearance in the Security case the usual fee of Rs. 5 per day claimed is in order. The bill is thus sanctioned for a sum of Rs. 1,115/- only. The charge will be met out of the budget grant under "Fees to Advocates and other Law charges", to be supplemented by an additional grant for which a demand will be placed before ~~the next meeting of~~ the Legislative Council in due course.


For Secretary to Government
Law Department.

To

The Public Prosecutor, Bangalore with the bills.

The Comptroller to Government.

c.n.

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

The Assistant Secretary
Financial Branch, advised
that he for 11-12-28 only
a bill for \$115.00 to the
But the Procurement Branch
has to be communicated with
Financial Branch, as the
cost is proposed to be met out
of an additional fund to be
which is under the L.C. The
Financial Secretary has not
been consulted. But for
order whether the file may be
sent to the Branch for
communication of the

78/12/28
18/12
(J.P.R.)
y.s. W
W.W.

Reference is made to the Procurement Branch for
putting the 3 copies of C.C. in
Communication to Comptroller.

N. B.—Should routine notes be written on small slips,
the notes must be copied, or slips pasted on
this form.

R. Com. 1244
19/12/28

18/12

Financial Sec. has not been
consulted.
Draft of same sent.
18/12 — M. Secy) MZ
h
Comptroller 18/12

Section *Law*
File No. *21-28*
Serial No.

Diary No. of letter replied to.....

No. *3261*

General and Revenue Secretariat

To

the

192

The Public Prosecutor
Bangalore.

Date of issue..... *18/2/28*

Sir,

Signed by..... *MRS*

I am desired to enquire
the number of cases arising out
of the recent Bangalore Disturbance
in which you have
to conduct the prosecution their
nature and description, the
number of days you have attended
to them till now and the actual
stage of their pendency.
I have etc

st of enclosures.....

Copied by..... *14/2/28*

Examined by.....

From

The Public Prosecutor,
Bangalore Division, Bangalore.

To

The Legal Remembrancer
and Secretary to Government Law Department,
Bangalore.

Sir,

I have the honour to submit herewith my bill of fees for conducting the Bangalore Disturbances Cases. The Memo of appearance is counter-signed by the City Magistrate, Bangalore. I was appointed to conduct these cases in Government Order No.P. 2821-4/Cts.48-28-13 dated 21-11-1928 . I may be permitted to state that these cases were complicated and of extraordinary nature involving difficult questions of law and procedure, and that I had to study the evidence of over 460 witnesses and over 60 exhibits and examine nearly 120 witnesses in these cases.

Under these circumstances I pray that the Government may be pleased to sanction, in consideration of the exceptional importance and difficulty of these cases, a special fee of Rs. 25/- per day for each case or a consolidated sum of Rs. 1000/-

I have the honour to be,

Sir,

Your most obedient servant,

Bangalore, 1
30-1-1929.

B. N. Vijaya Deva
Public Prosecutor, B'lore Dvsn

SUBJECT.....

Diary No. of letter replied to.....

Section ~~1000~~

File No. 21-26

Serial No. 27

General and revenue Secretariat

Proceedings of the Government of
His Highness the Maharaja of Mysore.

he () 192

Date of issue.....

Read—

Signed by.....

Letter dated 30th Jan 1929

from the Public Prosecutor, Bangalore,
statement of his work in
forwarding a bill of fees for
connection with the conduct of prosecution in
conducting the several cases

May this be

i. Printed ?

ii. ~~to be~~ as a standing order ?

iii. ~~to be~~ in the Gazette,

English Part ?

translated ?

placed at the disposal of the press ?

published in the Gazette,
Kannada Part ?

arising out of the Bangalore
disturbances, in the ~~fact~~ ^{limit} of the
City Magistrate, Bangalore,
and praying that in Consideration
Order Thereon No.
of the exceptional importance or
difficulty of these cases, a special
fee of Rs 25/- a day for each
case or a consolidated sum of
Rs 1000/- may be sanctioned ^{to him}

Order

no

7518-21

(1)

Government are

07 15 2
2

pleased to sanction a sum

of Rs 533-5-4 only as fees

to the Public Prosecutor - ~~Contingent~~

for conducting the cases above-

mentioned

A demand for a supplemental grant
meeting this charge will be placed before the L-1
in due course.

For secy to Govt
Law Dept

9.2.29

9/2

1) The Public Prosecutor, Bangalore
with the bill

2) The Comptroller to Govt

3) The Financial Secy to Govt

4) The District Magistrate Bangalore

Rs 533 five hundred and three
annas five and pice five

Copied by

Examined by